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PIP-106-A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ozawa et al.
Serial Number: 09/619,547
Filed: 19 July 2000
Group Art Unit: 2834
Examiner: D. Scheuermann
Confirmation No.: 1853
Title: STATOR WINDING AND MANUFACTURING METHOD THEREFOR

INFORMATION DISCLOSURE STATEMENT UNDER MPEP §609

Mail Stop DD
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, §1.97, §1.98, and MPEP §609, applicant encloses copies of the references listed on the attached PTO/SB/08A for consideration by the Examiner. The references were cited in the European Search Report issued on the corresponding European patent application. A copy of said search report is also enclosed.

The listed references are being cited only in the interests of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the present invention or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art.

Also attached is the required identification form and a check in the amount of \$180.00 for payment of the required fee.

Favorable consideration is respectfully requested.

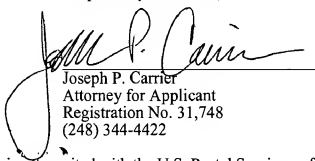
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Respectfully submitted,

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03 September 2003


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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Mail Stop DD, Commissioner For Patents, PO Box 1450, Alexandria, VA 22313-1450 on 03 September 2003.

Dated: 03 September 2003
JPC/km
enclosures


Kathryn Mackenzie



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Group No. 2834

Serial No.: 09/619,547

Examiner: D. Scheuermann

Filed: 19 July 2000

For: Stator Winding And Manufacturing Method Thereof

Commissioner For Patents

P.O. Box 1450

Alexandria, VA 22313-1450

STATEMENT FOR INFORMATION DISCLOSURE UNDER
37 C.F.R. 1.97(e)

NOTE: A statement must state either: "(1) that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement, or (2) that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement." 37 C.F.R. 1.97(e).

NOTE: "Section 1.97(e) makes it clear that a certification could contain either of two statements. One statement is that each item of information in an information disclosure statement was cited in a search report from a patent office outside the U.S. not more than three months prior to the filing date of the statement. Under this certification, it would not matter whether any individual with a duty actually knew about any of the information cited before receiving the search report. In the alternative, the certification could state that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual having a duty to disclose more than three months prior to the filing of the statement." Notice of January 9, 1992, 1135 O.G. 13-25, at 13. (emphasis added). Thus: "If an item of information is submitted within three months of being cited in a communication from a foreign patent office in a counterpart foreign application, the certification can be properly made regardless of any individual's previous knowledge of the information." *Id.*, 1135 O.G. at 19.

NOTE: "The certification can be based on present, good faith knowledge about when information became known without a search of files being made." Thus, for example, the certification of § 1.97(e) does not preclude the use of the certification in an application by corporations whose practitioners have over the years reviewed thousands of patents and technical publications, even though they are unaware of the relevance of any one thereof to the application. Notice of January 9, 1992, 1135 O.G. 13-15, at 19.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

FACSIMILE

XXX deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents

☐ transmitted by facsimile to the Patent and Trademark Office.

PO Box 1450
Alexandria, VA 22313-1450

Date

08 Sept 2003

Signature

Kathryn MacKenzie

(Type or print name of person certifying)

NOTE: A copy of the foreign search report need not be submitted with the certification. Notice of April 20, 1992 (1138 O.G. 37-41, 40).

NOTE: "The phrase 'after making reasonable inquiry' makes it clear that the individual making the certification has a duty to make reasonable inquiry regarding the facts that are being certified. The certification can be made by a registered practitioner who represents a foreign client and who relies on statements made by the foreign client as to the date the information first became known. A registered practitioner who receives information from a client without being informed whether the information was known for more than three months, however, cannot make the certification without making reasonable inquiry. For example, if an inventor gave a publication to the attorney prosecuting an application with the intent that it be cited to the Office, the attorney should inquire as to when that inventor became aware of the publication and should not submit a certification under 37 C.F.R. 1.97(e)(2) to the Office until a satisfactory response is received. The certification can be based on present, good faith knowledge about when information became known without a search of files being made." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "Although it is recognized that an individual actually becomes aware of the information in the communication from a foreign patent office sometime after it was mailed, the mailing date of such a communication, if it occurs prior to a first awareness of the same information, would determine the date for filing of an information disclosure statement without a fee" in a certification procedure under § 1.97(e). Notice of January 9, 1992, 1135 O.G. 13-25, at 19 (emphasis added).

NOTE: The mere absence of an item of information from a foreign patent office communication is not intended to represent an opportunity to delay the submission of an item known more than three months prior to the filing of an information disclosure statement to an individual having the duty of disclosure under § 1.56. 62 Fed. Reg. 53,131, 53,150 (Oct. 10, 1997).

NOTE: "The certification under § 1.97(e) should be made by a person who has knowledge of the facts being certified. The certification can be made by a practitioner who represents a foreign client and who relies on statements made by the foreign client as to the date the information first became known. A practitioner who receives information from a client without being informed whether the information was known for more than three months, however, cannot make the certification without making reasonable inquiry." Notice of January 9, 1992, 1135 O.G. 13-25 at 19.

NOTE: "The term counterpart foreign patent application means that a claim for priority has been made in either the U.S. application or a foreign application based on the other, or that the disclosures of the U.S. and foreign patent applications are substantively identical (e.g., an application filed in the European Patent Office claiming the same U.K. priority as claimed in the U.S. application)." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent or inventor." 37 C.F.R. 1.56(d) and

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) each inventor named in the application;

(2) each attorney or agent who prepares or prosecutes the application; and

(3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. 1.56(c).

IDENTIFICATION OF INFORMATION DISCLOSURE STATEMENT FOR WHICH THIS STATEMENT IS BEING MADE

1. This statement is being made for the Information Disclosure Statement

☒ accompanying this statement.

☐ filed _____
Date

STATEMENT

2. I, the person(s) signing below state:

that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. 1.97(e)(1).

NOTE: The three month period starts from the mailing date of the foreign patent office communication. Notice of January 9, 1992, 1135 O.G. 13-25 at 19. The mailing date is the "date on the communication by the foreign patent office." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

AND

- that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. 1.97(e)(2).

NOTE: "The time at which information 'was known to any individual designated in 37 C.F.R. 1.56(c)' is the time when the information was discovered in association with the application even if awareness of the materiality came later." Notice of April 20, 1992 (1138 O.G. 37-41, 40).

IDENTIFICATION OF PERSON(S) MAKING THIS STATEMENT

3. The person making this statement is

(check each applicable item)

- (a) ☐ the inventor(s) who signs below

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

- (b) ☐ a person who is substantively involved in the preparation or prosecution of the application, and who is associated with the inventor, with the assignee, or with anyone to whom there is an obligation to assign the application (37 C.F.R. 1.56(c)) and who signs below.

SIGNATURE OF PERSON MAKING STATEMENT

(type name of person who is signing)

Address of person who is signing

(c) ☒ the practitioner who signs below on the basis of the information:

(check each applicable item)

☐ supplied by the inventor(s).

☒ supplied by an individual designated in § 1.56(c).

☐ in the practitioner's file.

Reg. No.: 31,748

Tel. No. (248) 344-4422

Customer No.: 21828



SIGNATURE OF PRACTITIONER

Joseph P. Carrier

(type or print name of practitioner)

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Novi, Michigan 48375



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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number 09/619,547
Filing Date 19 July 2000
First Named Inventor Ozama et al.
Art Unit 2834
Examiner Name D. Scheuermann
Attorney Docket Number STP-106-A

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code* (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	US-	3,777,197	12-04-1973	Preston T et al.	
	US-	4,260,924	04-07-1981	Iugosi Robert et al.	
	US-				
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code* Number*, Kind Code* (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁴
		DE 25 11 567	09-30-1976	Teldix GmbH		
		EP 0 150 070	07-31-1986	Papst Motoren		X
		GB 1 242 421	08-11-1971	Interelectric		X
		JP 51 025758	03-02-1976	Tamagawa Seiki		X
		EP 0 251 029	01 07 1988	Thomson Brandt		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. *Applicant's unique citation designation number (optional). *See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. *Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). *For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. *Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. *Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.